

LEVIN-EPSTEIN & ASSOCIATES, P.C.

60 East 42nd Street • Suite 4700 • New York, New York 10165
T: 212.792.0046 • E: Joshua@levinepstein.com

September 6, 2024

Via Electronic Filing

The Hon. James R. Cho, U.S.M.J.
United States District Court, Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Smith et al. v. Lina Vivas Maintenance, Inc. et al*
Case No.: 1:22-cv-0186-PKC

Dear Hon. Magistrate Judge Cho:

This law firm represents Plaintiffs Aaron Smith, Robin Johnson, Dashawn Andrews, Matthew Smith, Edward Camacho, Mark Vaughn, Charles Belk, Deshaun Dennis, Yunepha Sumpter, Zachery Saquan, Joshua Blount, Randolph Fulcher and Aaron Lawson (collectively, the “Plaintiffs”) in the above-referenced action.

Pursuant to Your Honor’s Individual Motion Practice Rules, this letter respectfully serves to provide the Court with a status update in the above-referenced action.

Since the filing of the July 29, 2024 motion to withdraw [Dckt. No. 69] (the “Motion to Withdraw”), the undersigned law firm has revived the attorney-client communications with respect to Plaintiffs Aaron Smith, Matthew Smith, and Dashawn Andrews.

Each of these individuals have provided the undersigned with their renewed authority to accept the settlement-in-principle reached during the in-person settlement conference held before Your Honor on September 22, 2023.

The undersigned respectfully requests an additional three (3) weeks, to, through and including, September 27, 2024, to provide the Court with a long-form settlement agreement, pursuant to *Cheeks v. Freeport Pancake House*, 796 F. 3d 199 (2d Cir. 2015).

The instant letter further respectfully serves to advise the Court that the undersigned law firm has not been able to revive attorney-client communications with respect to Mark Vaughn (“Mr. Vaughn”) or Edward Camacho (“Mr. Camacho”). In light of the foregoing, the undersigned still wishes to maintain the pending Motion to Withdraw, insofar as it relates to these two (2) individuals.

We thank the Court for its attention to this matter, and are available at the Court’s convenience to answer any questions related to the foregoing.

Respectfully submitted,

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: /s/ Jason Mizrahi
60 East 42nd Street, Suite 4700
New York, NY 10165
Tel. No.: (212) 792-0048
Email: Jason@levinepstein.com
Attorneys for Plaintiffs